

Message Text

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ACTION STR-04

INFO OCT-01 IO-13 ISO-00 STRE-00 FEA-01 AGRE-00 CEA-01

CIAE-00 COME-00 DODE-00 EB-07 FRB-03 H-01 INR-07

INT-05 L-03 LAB-04 NSAE-00 NSC-05 PA-01 EPG-02

AID-05 SS-15 ITC-01 TRSE-00 USIA-06 PRS-01 SP-02

OMB-01 OIC-02 AF-10 ARA-06 EA-07 EUR-12 NEA-10

/136 W

-----032007Z 058376 /73

P 031642Z JUN 77

FM USMISSION GENEVA

TO SECSTATE WASHDC PRIORITY 7921

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USMTN

ACTION STR, H PASS CODEL, STR PASS KELLY

E.O. 11652: N/A

TAGS: ETRD, MTN

SUBJECT: INITIAL INPUT FOR GROUP AGRICULTURE REVIEW OF DRAFT
STANDARDS CODE (WEEK OF JUNE 20, 1977) AND STANDARDS
SUBGROUP MEETING (WEEK OF JUNE 27, 1977).

1. SUMMARY: WE SHOULD BUILD ON THE MOMENTUM OF THE
AGREEMENT ON DEFINITIONS AT THE PREVIOUS STANDARDS
SUBGROUP MEETING BY CONTINUING THE PRACTICE OF HOLD-
ING SMALL, INFORMAL SESSIONS ON KEY ISSUES WHILE
HOLDING THE NUMBER OF PLENARY SUBGROUP MEETINGS TO A
MINIMUM. DURING THE GROUP AGRICULTURE REVIEW OF THE
DRAFT CODE, THE US SHOULD MAINTAIN ITS POSITION THAT
THERE ARE NO TECHNICAL DIFFICULTIES WITH THE APPLICA-
TION OF THE CODE TO AGRICULTURAL PRODUCTS AND OFFER
FIRM REBUTTALS TO THE ALLEGED DIFFICULTIES RAISED AT
THE MARCH 1977 GROUP AGRICULTURE MEETING. END SUMMARY.

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2. UPCOMING MEETING OF SUBGROUP ON STANDARDS THE WEEK
OF JUNE 27, 1977, SHOULD BE UTILIZED TO HOLD INFORMAL
BILATERAL/PLURILATERAL SESSIONS WITH KEY
DELS ON SIGNIFICANT ISSUES NOT YET RESOLVED IN THE
DRAFT CODE, WITH MINIMAL TIME SPENT IN THE FULL SUB-
GROUP SESSION. SUCH INFORMAL SESSIONS COULD BE ORGAN-

IZED BY THE US OR OTHER INTERESTED DELS WITH THE GOOD OFFICES OF THE GATT SECRETARIAT. EXAMPLES OF SOME ISSUES THAT COULD BE DISCUSSED AT THESE SESSIONS INCLUDE THE FOLLOWING: NATIONAL TREATMENT IN CERTIFICATION SYSTEMS; PREPARATION OF TECHNICAL REGULATIONS BY LOCAL GOVERNMENTS AND LEVEL OF OBLIGATION FOR THOSE REGULATIONS; FIRST LEVEL OF OBLIGATION FOR CENTRAL GOVERNMENT STANDARDS; EMERGENCY CLAUSE; AND WHETHER ALL TECHNICAL REGULATIONS AND STANDARDS ARE TO BE PUBLISHED OR ONLY THOSE OF IMPORTANCE TO TRADE. IN ADDITION TO TRYING TO WORK OUT SOME OF THESE ISSUES, THE US COULD UTILIZE THE INFORMAL SESSIONS TO TRY TO PERSUADE KEY DELEGATIONS TO ACCEPT US PROPOSALS SUCH AS THE RETRO-ACTIVITY PROVISIONS AND THE EXAMPLES OF WHEN INTERNATIONAL STANDARDS MAY NOT BE APPROPRIATE FOR NATIONAL USE. IN ADDITION THE US DEL COULD OUTLINE ITS IDEAS CONCERNING THE DISPUTE SETTLEMENT AND ADMINISTRATIVE PROVISIONS OF THE CODE THEREBY LAYING THE GROUNDWORK FOR FUTURE WORK IN THIS AREA. THIS LATTER ISSUE WOULD BE PARTICULARLY TIMELY SINCE THE CANADIANS, WHO HAVE TABLED A DISPUTE SETTLEMENT MODEL IN SEVERAL OTHER MTN GROUPS AND SUBGROUPS, HAVE ALREADY ATTRACTED A NUMBER OF SUGGESTED AMENDMENTS TO THEIR PROPOSAL. THUS, THEIR PROPOSAL HAS BECOME, DE FACTO, THE FOCUS OF ATTENTION OF MANY PARTICIPANTS.

3. IN ADDITION TO SESSIONS WITH KEY DEVELOPED COUNTRIES, WE COULD ALSO HOLD A SESSION WITH KEY DEVELOPING COUNTRIES. THE PREVIOUS SUBGROUP MEETING GAVE A CLEAR SIG-

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NAL THAT A SINGLE PARAGRAPH ADDRESSING THE ASPECT OF SPECIAL AND DIFFERENTIAL TREATMENT FOR DEVELOPING COUNTRIES IS NOT ACCEPTABLE TO THOSE COUNTRIES BY ITSELF. WE COULD EXPLORE THE POSSIBILITY OF HAVING OTHER PROVISIONS IN THE CODE, IN ADDITION TO THE SINGLE PARAGRAPH THAT THE US HAS SUGGESTED, AND QUERY THE LDC'S ON WHERE SUCH ADDITIONAL PROVISIONS COULD BEST FIT SUCH AS IN THE PREAMBLE, TECHNICAL ASSISTANCE AND DISPUTE SETTLEMENT SECTIONS.

4. ANOTHER USEFUL TOPIC THAT COULD BE EXPLORED IN THE OPEN MEETING AS WELL AS IN THE INFORMAL SESSIONS COULD BE ANY REACTIONS TO THE GROUP AGRICULTURE'S REVIEW OF THE DRAFT STANDARDS CODE. ASSUMING THAT GROUP AGRICULTURE MEETS THE WEEK OF JUNE 20 PRIOR TO THE STANDARDS SUBGROUP MEETING IT WILL HAVE HAD TWO FULL SESSIONS DEVOTED TO THIS TASK.

5. AS WAS EVIDENCED IN THE DEFINITIONS EXERCISE COM-

PLETED DURING THE PREVIOUS MEETING, INFORMAL SESSIONS ARE MUCH MORE SUSCEPTIBLE TO GAINING AGREEMENT ON DELICATE ISSUES AMONG MAJOR PARTICIPANTS. IN ADDITION, HAVING SUCH INFORMAL MEETINGS ON THESE ISSUES WOULD AVOID THE NECESSITY FOR THE PARAGRAPH BY PARAGRAPH REVIEW IN THE FULL GROUP AND THE UNHELPFUL SITUATION WHICH AROSE AT THE PREVIOUS SUBGROUP MEETING WHERE DEVELOPING COUNTRIES IMPEDED PROGRESS BY EXTENSIVELY DISCUSSING S&D PROVISIONS IN EACH OF THESE PARAGRAPHS.

6. GROUP AGRICULTURE REVIEW OF DRAFT STANDARDS CODE: THE US SHOULD REASSERT ITS VIEW THAT THERE ARE NO TECHNICAL DIFFICULTIES WITH THE APPLICABILITY OF THE CODE TO AGRICULTURAL PRODUCTS. FURTHERMORE, THE US SHOULD OFFER FIRM REBUTTALS OF THE ALLEGED PROBLEMS RAISED AT THE MARCH 1977 GROUP AGRICULTURE MEETING, E.G. DUPLICATION OF WORK PERFORMED BY OTHER INTERNATIONAL LIMITED OFFICIAL USE

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AGENCIES DEALING WITH AGRICULTURAL STANDARDS AND CERTIFICATIONS SYSTEMS; UTILITY OF DEFINITIONS DEVELOPED BY BODIES DEALING WITH AGRICULTURAL STANDARDS; APPLICABILITY OF CODE TO QUARANTINE SYSTEMS; AND ALLEGED UNIQUENESS" OF STANDARDS DEVELOPED FOR AGRICULTURAL PRODUCTS. THESE ISSUES ARE PRESENTED IN THE GATT SECRETARIAT DOCUMENT COMPILING A LIST OF POINTS MADE AT THE PREVIOUS MEETING (MTN/AG/W/21, MAY 26, 1977 BEING HAND-CARRIED TO WASHINGTON BY NEWKIRK). CULBERT

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
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Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977GENEVA04400
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
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Format: TEL
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Handling Restrictions: n/a
Image Path:
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Legacy Key: link1977/newtext/t19770694/aaaadelw.tel
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Litigation Code IDs:
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Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
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Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
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Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2292680
Secure: OPEN
Status: NATIVE
Subject: INITIAL INPUT FOR GROUP AGRICULTURE REVIEW OF DRAFT STANDARDS CODE (WEEK OF JUNE 20, 1977) AND STANDARDS GROUP MEETING (WEEK OF JUNE 27, 1977).
TAGS: ETRD, US, MTN
To: STATE USMTN
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/fd68c785-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009